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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT BUCKHANNON,

Defendant.

CASE NO. 2:14-cr-00315-JCM-VCF-1

STIPULATION AND ORDER TO CONTINUE SENTENCING (THIRD REQUEST)

IT IS HEREBY STIPULATED by and between Robert Buckhannon, Defendant, by and through his counsel, Michael V. Cristalli, Esq., of the law firm of Gentile Cristalli Miller Armeni Savarese, and the Plaintiff, United States of America, by and through Steven W. Myhre, Acting United States Attorney, and Kathryn Newman Assistant United States Attorney, sentencing currently scheduled for January 23, 2018, at 10:00 a.m. be vacated and continued to a date and time convenient to the Court but not earlier than sixty (60) days.

This Stipulation is entered into for the following reasons:

1. This is the third request to continue Mr. Buckhannon's sentencing in this matter.
2. The United States is still contemplating the filing a 5K1.1 Motion.
3. Kathryn Newman, counsel for the United States of America, is currently preparing for a trial in the matter of *United States v. Terry Williamson*, Case No.: 2:15-cr-127-RFB. That trial is anticipated to conclude by February 9, 2018.

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- 4. The United States needs additional time to consider the defendant's cooperation for purposes of USSG 5K1.1.
- 5. The additional time requested herein is not sought for purposes of delay and the denial of this request for a continuance could result in a miscarriage of justice.
- 6. For all the above-stated reasons, the ends of justice would be best served by the continuance of the sentencing date.

STEVEN W. MYHRE ACTING UNITED STATES ATTORNEY DISTRICT OF NEVADA	GENTILE CRISTALLI MILLER ARMENI SAVARESE
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DATED this 22 nd day of January, 2018.	DATED this 22 nd day of January, 2018.
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<u>/s/Kathryn Newman</u> STEVEN W. MYHRE Acting United States Attorney KATHRYN NEWMAN Assistant United States Attorney Attorney for Plaintiff, UNITED STATES OF AMERICA	<u>/s/Michael V. Cristalli</u> MICHAEL V. CRISTALLI Attorney for Defendant, ROBERT BUCKHANNON
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1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

CASE NO. 2:14-cr-00315-JCM-VCF-1

4 Plaintiff,

5 vs.

6 ROBERT BUCKHANNON,

7 Defendant.

8 **FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER**

9 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
10 Court hereby finds that:

11 **CONCLUSIONS OF LAW**

12 Based on the fact that counsel has agreed to a continuance, the Court hereby concludes
13 that:

- 14 1. This is the third request to continue Mr. Buckhannon's sentencing in this matter.
15 2. The United States is still contemplating the filing a 5K1.1 Motion.
16 3. Kathryn Newman, counsel for the United States of America, is currently preparing for a
17 trial in the matter of *United States v. Terry Williamson*, Case No.: 2:15-cr-127-RFB.
18 That trial is anticipated to conclude by February 9, 2018.
19 4. The United States needs additional time to consider the defendant's cooperation for
20 purposes of USSG 5K1.1.
21 5. The additional time requested herein is not sought for purposes of delay and the denial
22 of this request for a continuance could result in a miscarriage of justice.

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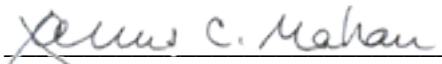
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1 6. For all the above-stated reasons, the ends of justice would be best served by the
2 continuance of the sentencing date.

3 **ORDER**

4 **IT IS HEREBY ORDERED** that the sentencing in this matter scheduled for January
5 23, 2018, at the hour of 10:00 a.m., is hereby vacated and continued to the **26th day of March,**
6 **2018 at 10:00 a.m., in Courtroom 6A.**

7 **DATED** January 22, 2018.

8 
9 **JAMES C. MAHAN**
10 **UNITED STATES DISTRICT COURT JUDGE**
11 **CASE NO.: 2:14-cr-00315-JCM-VCF-1**
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